INSTRUCTIONS FOR MOTION AND ORDER TO WAIVE FILING FEES – SEATTLE LOCATION

Updated February, 2011

If you believe that you are unable to afford the filing fee and related surcharges in your civil or family law court case, you may request that the court waive it. In determining whether the filing fee should be waived, the Court will consider your ability to pay. In doing so, the court may apply a financial availability table based on 125% of the Federal Poverty Standard (see below). If there is a joint petition in a family law matter, your income will be added to your spouse's income in determining eligibility for a filing fee waiver.

However, the court may also waive the requirement for you to pay filing fees if your income is above the thresholds below, but finds that you have recurring basic living expenses which render you unable to pay the fees, or it may waive the fees if it finds there are other compelling circumstances to do so. If you are represented by a Qualified Legal Services Provider, that provider may obtain a fee waiver by presentation of the forms designated for their use.

Family Size	1	2	3	4	5	6	7	8	9 or more
Maximum Monthly Income*	\$ 1,134	\$ 1,532	\$ 1,930	\$ 2,328	\$ 2,726	\$ 3,124	\$ 3,522	\$ 3,920	Add \$398 for each additional person
Maximum Annual Income*	\$13,613	\$18,388	\$23,163	\$27,938	\$32,713	\$37,488	\$42,263	\$47,038	Add \$4,775 for each additional person

^{* &}quot;Income" means net income received, after taxes and child care costs are deducted.

The court may also waive the filing fees if you are currently receiving assistance under a needs-based, means-tested assistance program such as the following:

- Federal Temporary Assistance for Needy Families (TANF)
- State-provided general assistance for unemployable individuals (GA-U or GA-X)
- Federal Supplemental Security Income (SSI)
- Federal poverty-related veteran's benefits
- Food Stamp Program (FSP)

If using any of the above as the basis for waiver of filing fees, please bring evidence, such as a copy of a recent benefits award letter.

<u>FORMS TO USE</u>: The Court has standard forms for obtaining fee waivers, which you are to use even though you may have obtained similar forms elsewhere. The forms are available at no cost from the Copy Center in the Clerk's Office (E609) or the Family Law Facilitator (W382).

- 1. Motion and Order to Waive Filing Fees and Surcharges
- 2. Financial Statement (If you qualify for a fee waiver because you currently receive needs-based, means-tested benefits as identified above, you do not need to complete this page.)

INSTRUCTIONS:

- 1. Fill out all forms <u>completely</u>. Be sure to <u>sign</u> and <u>date</u> the "Motion and Order" and the "Financial Statement." (If you qualify for a fee waiver because you currently receive needs-based, means-tested benefits as identified above, you <u>do not need to complete this page</u>.)
- 2. Take the completed forms along with your completed Petition or Complaint to the *Ex Parte* Department (Room W325, on the 3rd Floor of the King County Courthouse) to have a Commissioner review your request and sign the order.
 - If the Commissioner signs the Order, you will be able to file your case without paying the filing fee. In a family law matter, you may be required to pay the Courthouse family law facilitator fee; also, you or your spouse may be required to pay the filing fee later if there is a joinder to the petition.
 - If the waiver is denied, you will be required to pay the filing fee to file your case.
- 3. After obtaining a signed, approved Order, take it and all your case initiating forms to the Cashier's Window in the Clerk's Office (Room E609, on the 6th Floor of the King County Courthouse). You must file the originals of all forms the same day the Commissioner signs the order. DO NOT remove this order from the courthouse.
 - The Ex Parte Department (Room W325) is open 9:00 a.m. to 11:45 and 1:30 p.m. to 4:00 p.m.
 - The King County Superior Court Clerk's Office (Room E609) is open 9:00 a.m. to 12:15 pm, and 1:15 pm to 4:30 p.m.
 - To contact Family Law Facilitators, call 296-9092.

	erior Court of Washington King County		
		No	
	Petitioner/Plaintiff, vs. Respondent/Defendant.	Motion and Declaration For Waiver of Civil Filing Fees and Surcharges (MTAF)	
	I. Mot	ion	
1.1	I am the [] petitioner/plaintiff [] respondent/defendant in this action.		
1.2	I am asking for a waiver of all filing fees and surcharges.		
	II. Basis	for Motion	
2.1.	GR 34 allows the court to waive "filing fees condition precedent to a litigant's ability to who is indigent. As outlined below, I am in-	secure access to judicial relief" for a person	
Dated	:	nature of Requesting Party	
	Olg	nature of riequesting rarry	
	Prir	nt or Type Name	
	III. Dec	laration	
l decla	are that,		

I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.1

3.2	the following:							
[]	(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.							
	lare under penalty of perjury and correct.			· ·				
Signe	ed at (city)	, (state)	on (date)					
Signa	ature	Print o	or Type Name					

	Financial State	ment (Attachment)				
1. My name is:						
[] I provide support to peop	ole who live with me	e: How many? Age(s):				
3. My Monthly Income:		6. My Monthly Household Ex	6. My Monthly Household Expenses:			
Employed [] Unemploy	ed []	Rent/Mortgage:	\$			
Employer's Name:		Food/Household Supplies:	\$			
Gross pay per month (salary or hourly pay):	\$	Utilities:	\$			
Take home pay per month:	\$	Transportation:	\$			
4. Other Sources of Income Household:	Per Month in my	Ordered Maintenance actually paid:	\$			
Source:	\$	Ordered Child Support actually paid:	\$			
Source:	\$	Clothing:	\$			
Source:	\$	Child Care:	\$			
Source:	\$	Education Expenses:	\$			
Sub-Total	: \$	Insurance (car, health):	\$			
[] I receive food stamps.		Medical Expenses:	\$			
Total Income, lines 3 (tak home pay) and 4	e :: \$	Sub-Total:	\$			
5. My Household Assets:		7. My Other Monthly Household Expenses:				
Cash on hand:	\$		\$			
Checking Account Balance:	\$		\$			
Savings Account Balance:	\$		\$			
Auto #1 (Value less loan):	\$		\$			
Auto #2 (Value less loan):	\$	Sub-Total:	\$			
Home (Value less mortgage): \$		8. My Other Debts with Monthly Payments:				
Other:	\$		\$ /mo			
Other:	\$		\$ /mo			
Other:	\$		\$ /mo			
Other:	\$		\$ /mo			
Other:	\$	Sub-Total:	\$			
Total Household Assets: \$		Total Household Expenses and Debts, lines 6, 7, and 8:	\$			
Date:	-	Signature:				

If you qualify for a fee waiver because you currently receive needs-based, means-tested benefits as identified above, you do not need to complete this page.

Superior (For King (of Washington			
			No		
		Petitioner/Plaintiff, vs. Respondent/Defendant.	Order Re Waiver of Civil Filing Fees and Surcharges [] Granted (ORPRFP) [] Denied (ORDYMT) [X] Clerk's Action Required 3.1		
		I B	asis		
			and surcharges filed by or on behalf of the		
		II. Fir	ndings		
		the motion and supporting de and files, the Court finds:	claration(s). Based on the declaration(s) and		
2.1 []	The moving party is indigent based on the following: He or she:				
	[]	is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or			
	[]	[] receives benefits from one or more needs-based, means-tes assistance programs; and/or			
	[]	has household income at or below 125% of the federal poverty guideline; and/or			
	[] has household income above 125% of the federal poverty cannot meet basic household living expenses and pay the f surcharges; and/or				
	[]	other:			

2.2	[]	The moving party is not indigent.
2.3	[]	Other:
		III. Order
Base	d on the	e findings the court orders:
3.1	[]	The motion is granted, and
	[]	all filing fees and surcharges the payment of which is a condition precedent to
	[]	the moving party's ability to secure access to judicial relief are waived. The Petitioner shall pay the Family Law Facilitator surcharge fee only. This is a joint petition; the Respondent shall pay the filing fee prior to entry of the final decree and proof of payment must be given to the court at the final hearing,
	[]	unless they separately qualify for a fee waiver. If the Respondent joins in the Petition (i.e. Joinder is filed), the filing fee shall be paid prior to the entry of the final decree and proof of payment must be given to the court at the final hearing.
	[]	other:
		-
3.2	[]	The motion is denied.
3.3		e is a material change in financial circumstances, the ruling can be revisited by the or the moving party.
	or and waive	motion was granted and the court, upon review, later finds that either the petitioner other responsible party to this proceeding has sufficient resources to pay the od filing fees or surcharges, the Court may modify this order and require the moving or another party to pay the filing fees and/or surcharges that have been waived by rder.
Dated	d:	
		Judge/Commissioner
Prese	ented by	:
Signa	ture of I	Party or Lawyer/WSBA No.
Print	or Type	Name Date
		Fee Waiver (ORPRFP, ORDYMT) - Page 2 of 2 500 (2/2011) – GR 34